



Eric Gonzalez
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: JUSTIN SIMMS

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS SIMMS ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES ARISING OUT OF AN INCIDENT ON OR ABOUT AND BETWEEN 08/06/2007 THROUGH 08/07/2007:

ALLEGATIONS:

1. MOS SIMMS, WHILE ASSIGNED TO THE 33RD PRECINCT, IN QUEENS COUNTY, WAS WRONGFULLY AND WITHOUT JUST CAUSE ABSENT FROM SAID RESIDENCE WITHOUT PERMISSION OF SAID MOS'S DISTRICT SURGEON AND/OR THE MEDICAL DIVISION SICK DESK SUPERVISOR.
2. MOS SIMMS, WHILE ASSIGNED TO THE 33RD PRECINCT, IN QUEENS COUNTY, WAS WRONGFULLY AND WITHOUT JUST CAUSE ABSENT FROM THE CONFINES OF NEW YORK CITY OR RESIDENCE COUNTIES WITHOUT PERMISSION OF SAID DISTRICT SUREGON AND/OR THE MEDICAL DIVISION SICK DESK SUPERVISOR, IN THAT HE WAS IN VERMONT.
3. MOS SIMMS, WHILE ASSIGNED TO THE 33RD PRECINCT, IN QUEENS COUNTY, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE DEPARTMENT. TO WIT: SAID MOS DID FAIL AND NEGLECT TO RETURN TELEPHONE CALLS TO THE MEDICAL DIVISION.
4. MOS SIMMS, WHILE ASSIGNED TO THE 33RD PRECINCT, IN QUEENS COUNTY, HAVING CHANGED SAID MOS'S RESIDENCE, DID FAIL AND NEGLECT TO NOTIFY SAID MOS'S COMMANDING OFFICER BY SUBMITTING FORM CHANGE OF NAME, RESIDENCE OR SOCIAL CONDITION AS REQUIRED.

CASE STATUS: CLOSED ON 07/20/2010.

ACTION TAKEN: FORFEITURE OF THIRTY (30) VACATION DAYS.

Disclosure #2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, DATED 11/28/12:

ALLEG: DEPT RULES AND VIOLATIONS – OTHER (SUBSTANTIATED)

ALLEG: MISSING PROPERTY FOUND – NON-PD ITEM (UNSUBSTANTIATED)

ON AUGUST 19, 2011, MOS SIMMS AND ANOTHER OFFICER RESPONDED TO A 911 CALL PLACED BY A WOMAN WHO SAID SHE FOUND A MISSING BACKPACK. THE OWNER OF THE BACKPACK CONTACTED THE WOMAN WHO STATED SHE FOUND IT, AND THE WOMAN TOLD THE OWNER THE OWNER SHOULD GO TO THE 33 PRECINCT. THE WOMAN WAS INTERVIEWED BY THE NYPD ABOUT THE INCIDENT AND CONTRADICTED HERSELF NUMEROUS

TIMES ABOUT THE DETAILS OF TURNING THE BACKPACK OVER TO POLICE, BUT STATED SHE DID TURN IT OVER, THE OWNER OF THE BACKPACK STATED THAT HE RECOGNIZED THE MENTAL INSTABILITY OF THE WOMAN AND THAT THE OWNER WAS NOT AT ALL CONFIDENT THE WOMAN TURNED IT OVER TO POLICE, THE OWNER STATED THERE WAS NO JEWELRY, CASH, CREDIT CARDS, OR OTHER VALUABLES IN THE BACKPACK.
CLOSED:11/28/12

Disclosure # 3:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 04/19/2018, AGAINST MOS SIMMS:
ALLEGATION(S):

1. FAIL TO NOTIFY – IAB – MOS SIMMS FAILED TO NOTIFY IAB OF AN ALLEGATION OF MISCONDUCT BY ANOTHER OFFICER

CASE STATUS: CLOSED ON 12/03/2019

ACTION TAKEN: SCHEDULE 'A' COMMAND DISCIPLINE ISSUED

Disclosure # 4:

NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED 03/29/2019, AGAINST MOS SIMMS:
ALLEGATION(S):

1. INVOICE DISCREPANCY – BANK DROP – OVERAGE
2. REPORT INCOMPLETE/INACCURATE – PROPERTY CLERK INVOICE

DISPOSITION: SUBSTANTIATED/MINOR PROCEDURAL VIOLATION

CASE STATUS: CLOSED ON 05/17/2019

ACTION TAKEN: VERBAL OF INSTRUCTIONS.

Disclosure # 5:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Richard Bacquie	17-CV-05390	E.D.N.Y.	10-13-17	10-02-18	Settlement, without admission of fault or liability
Gaspar Perez	506052/2015	Kings Co. Sup. Ct.	05/21/2015	-	<i>Pending, next on unknown (last online entry 09-03-19).</i>

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 6:

CCRB CASE: 201407753

REPORT DATE: 07/30/2014

INCIDENT DATE: 07/21/2014

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse - Premises entered and/or searched

NYPD Disposition: Formalized Training

Disclosure # 7:

CCRB CASE: 201603074

REPORT DATE: 04/09/2016

[REDACTED]

[REDACTED]

[REDACTED]

Disclosure # 8:

CCRB CASE: 201902274

REPORT DATE: 03/14/2019

INCIDENT DATE: 03/14/2019

CCRB SUBSTANTIATED ALLEGATION(S):

1. Abuse – Frisk

Eric Gonzalez
District Attorney
Kings County